



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

NEWINGTON TOWN COUNCIL MEETING

July 8, 2008

Mayor Wright called the meeting to order at 7:03 PM in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present

Councilor Banach
Councilor Boni
Councilor Bottalico
Councilor Bowen
Councilor Cohen
Councilor Lenares
Councilor Nagel
Councilor Nasinnyk
Mayor Wright

Staff Present:

John L. Salomone, Town Manager
Lori Verreault, Executive Assistant

Councilor Cohen moved to waive the rules to add agenda item V-F: West Meadow Cemetery. Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

III PUBLIC PARTICIPATION

Tom Guzzo, 28 Price Boulevard, West Hartford: Mr. Guzzo stated that he is the umpire that last year brought honesty to the Town of Newington, and in early March he came to the Town and asked that all differences be put aside and that everyone move forward for a better and rewarding season. He noted that he had been assured by Town officials that he would not be micromanaged, but stated that he was, indeed, micromanaged and watched and after making his first bad call of the season two weeks ago he was suspended effective July 7, 2008. Mr. Guzzo stated that he had asked several times for help in understanding the process and has requested meetings to discuss the process. He stated that he has asked the Board of Parks and Recreation for help and although Board member Jeff Hedberg has reached out and asked questions on his behalf he has received little or no answers. Mr. Guzzo submitted two emails he sent requesting meetings to address the issue (emails attached). He stated that he received one response to his home email when he had requested to be called at his office. Mr. Guzzo requested that the Town Council help a good guy finish first. He stated that his hands are tied and he does not understand why he was suspended and stated that he was suspended for unnecessary reasons and has received no answers.

IV CONSIDERATION OF OLD BUSINESS

- A Proposed Ordinance 0709-3: An Ordinance Establishing a Committee on Community Safety
 - 1 Introduction of Ordinance
 - 2 Set Public Hearing Date

Town Manager Salomone stated that the Town has reviewed what various other committees have in terms of meeting dates and other items and incorporated those parameters into this proposed ordinance for consistency.

Councilor Cohen requested to have a discussion about the proposed ordinance prior to setting the public hearing date. Mayor Wright agreed. Councilor Cohen stated that as recently as February, there was talk of discontinuing the Joint Committee on Community Safety and in the beginning of June there was a memo stating that the Mayor wants to create an ordinance to give the Committee permanent status. Councilor Cohen commented that to her understanding this means establishing term limits for the members and including a representative from the Police Department. She stated that except for establishing term limits for the current members this is how the Committee runs now, and it has worked very well. She stated that this is how it should be when establishing the permanent Committee. Councilor Cohen stated that the thought was, if the Charter Commission had not yet completed its work once the ordinance was in place, it would be then requested that the Joint Committee on Community Safety be included in the Charter. She stated that this would create a higher level of comfort regarding future talks about discontinuing the Safety Committee. She stated that giving the Committee Charter status was brought up at the time it was because that is when the Charter Commission interviewed Mitch Page (Chair of the Safety Committee). She commented that there was no intent to use the Charter to bypass the Town Council. She remarked that at this point this is no longer an issue because what is actually happening is that the current Committee is being discontinued and replacing the eleven current members that meet every month with seven new members obligated to meet only once a year. Councilor Cohen inquired as to why this change is being made. She stated that while having representatives from the Town Council, Board of Education and Youth/Adult Council as full members rather than liaisons may not be typical, the arrangement is working well and creates a spirit of communication and cooperation, and the power of a liaison is nowhere near the power of an actual member of a committee. She stated that the Committee now has five members from the public and asked where in the proposed ordinance it states that the current members will stay on the permanent Committee. Councilor Cohen commented that if the intent of the ordinance is to dissolve the current Joint Committee on Community Safety and replace it with a new Committee with seven new members appointed by their respective political parties who will then vote for a new Committee Chair then just say so, and don't pretend that the existing Committee will continue if it will not. She requested that the Council reconsider what it is doing and requested that it does not destroy the existing Committee.

Councilor Nasinnyk noted that a resolution on June 12, 2007 formed the Joint Committee on Community Safety, comprised of eleven members, including three members from the Town Council, two from the Board of Education, one from the Youth/Adult Council and five from the public. She reiterated Councilor Cohen's comments that it is important that members from the Council, Board and Youth/Adult Council are full members of the Committee and remarked that the members of the Committee have had excellent attendance at the meetings, the public has been active in attending the meetings, and the Committee has had the ability to cut through red tape and get to the heart of various problems. She stated agreement with Councilor Cohen that having Community Safety Officer Sgt. Allin at the meetings has been a welcome resource and agreed with Councilor Cohen that the proposed ordinance will create a different Committee and requested that the permanent Committee be structured as originally charged.

Councilor Bowen stated that he is a supporter of the Committee. He noted that after the last election there were concerns about the political makeup of the Committee and as a result a Democrat resigned from the Committee so that a Republican could be appointed to that position. He remarked that he had also heard rumors that the Committee would be disbanded. He noted a communication from Mitch Page in which Mr. Page asked, "If it ain't broke, why fix it?" Councilor Bowen inquired as to why the Committee is being changed, and asked for the thought process as to why the makeup of the Committee is being changed as well.

Councilor Nagel stated that he can see both the positive and negative aspects of having Councilors serve as voting members of the Safety Committee and stated that he can see how adding more members of the public to the Committee can be a benefit. He stated that he does not view the proposed ordinance as something that is motivated to destroy the Committee. He stated that while the proposed ordinance does not include a mention of police presence on the Committee he noted that it was also not included in the previous Council's resolution and

was later added to the Committee, something that can be done again. He stated that he would like to see the Committee continue no matter what form it is in, and commented that he does not see the downside of having more people on the Committee. Councilor Nagel commented that he can't see why the same people can't be appointed to the Committee. He inquired as to why the proposed Committee needs to remain the same as the current Committee. He stated belief that the majority of the committees in which Councilors serve are set up so that the Councilor is a liaison to that committee and stated that there must be a reason for that arrangement. He stated that having Councilors serve as voting members on a particular committee may cause the Councilor to be caught in the middle between what is best for the committee versus what is best for the Town in the big picture. Councilor Nagel noted that while he did recommend that the Safety Committee be made into a permanent Committee he did not have any input as to the specifics of the proposed Committee. Councilor Bowen inquired whether Councilor Nagel crafted the proposed ordinance. Councilor Nagel replied in the negative, and stated that he had only expressed opinion that the Committee should continue. Councilor Bowen stated that the reason that the original Committee included Council members is because the previous Council felt that the Committee was of such high importance that the Councilors should be there. He stated that it is not unusual to have Councilors serve as active voting members of various committees, noting an example of the CIP Committee, which has the function to make a recommendation which then comes before the Council for approval. He stated that Council members on the CIP Committee wear two different hats, but stated that Councilors should bring their budgetary hats to the CIP meetings. Councilor Bowen stated that having police representation and Human Services representation is critical for the Committee to succeed because they can help the Committee go down the right path. Councilor Bowen stated that he will vote on whatever he has to vote on to keep the Committee going because he feels the Committee is that important, but in listening to Committee members and the public they all seem to feel that good work is being done with the current structure and he inquired as to why the structure needs to be changed.

Councilor Banach commented that in its current setup the Safety Committee has been one of the most productive Committees ever appointed and inquired as to why the setup of the Committee has to be changed when it works so well.

Councilor Nasinnyk inquired whether the current version of the proposed ordinance could be amended or changed prior to the Public Hearing. Mayor Wright stated that there were a number of different versions of the ordinance that came before the Town Attorney, including a version drafted by Councilor Cohen. He stated that the proposed draft takes into account the structure of the Town's various current boards and commissions. He stated that one factor is whether the board or commission should be set up by ordinance or in the Charter, noting that 80% of the boards and commissions in the Town are set up by ordinance, and setting up the Committee by ordinance is the fastest and most simple way to get it going. Mayor Wright remarked that the current Safety Committee was set up roughly one year ago under a very different set of circumstances from a public concern point of view and was set up as a temporary committee. He stated that the proposed ordinance will make the Committee on Community Safety a permanent Committee for the Town. Mayor Wright noted that the proposed ordinance increases participation from the public from five members to seven members and in addition the elected officials will ultimately vote at the Council or Board of Education level as policy makers to take action or not take action on the Committee's recommendations. He stated that elected officials will have a say in the process and will be actively involved. Mayor Wright listed Town boards and commissions in which Councilors act as liaisons rather than voting members: Board of Education, Board of Parks and Recreation, TPZ, Conservation Commission, Commission on Aging and Disabled, Development Commission, Environmental Quality Commission, Youth-Adult Council, Lucy Robbins Wells Library, NVFD, NVA and Channel 14, Facilities Naming Subcommittee, IHCC, and Town Manager Evaluation. Mayor Wright stated that committees in which Councilors are full voting members are generally either building committees or finance committees and include: Affordable Age-Restricted Housing Study Committee, Balf-Town Committee, CRCOG, Education Facilities Project Building Commission, Employee Insurance and Pension Benefits Committee and the Fire Training Tower Project Building Commission, the Joint Committee on Community Safety (which Mayor Wright noted is the exception to the rule), NHS Track Renovation Project Building Committee, Newington Commercial Façade Easement Loan Program Selection Committee, Standing Insurance Committee, CIP Committee, West Meadow Cemetery Expansion Committee. He stated that Councilors have policy making purview for the Town and stated that the intent of setting up the permanent Committee in this fashion in which Councilors and Board members act as liaisons is for them to communicate to the Council and Board and also to allow more members of the public to be brought onto the Committee.

Councilor Cohen stated that at no time was it ever intended or implied that the Safety Committee would be created through the Charter; adding the Committee to the Charter was supposed to occur following the creation of the ordinance and the language that would have been presented to the Charter Review Commission for

consideration would have referred to the ordinance. She stated that the only reason that the Safety Committee was brought up to the Charter Commission was due to the timing of the invitation to Mitch Page to speak to the Charter Commission. Councilor Cohen stated that the proposed Committee is different from the current Committee and inquired why the Mayor is referencing making the current Committee permanent when the current Committee will in fact be disbanded and a new Committee will be created along similar but different lines. She expressed concern that the language of the proposed ordinance does not guarantee that the current public members of the Committee will continue to serve on the new Committee. She inquired whether the new proposal involves starting from scratch and appointing new members. Mayor Wright replied in the affirmative. Councilor Cohen remarked that members of the current Committee have been wonderful. Mayor Wright replied that there have been wonderful members on the Council and on other various boards and commissions but things change over time and no boards or commissions have memberships without expiring terms. Councilor Cohen stated that the proposed ordinance will change the Committee; it will not make the existing Committee permanent.

Councilor Bowen noted the liaison positions are often for committees or commissions that are somewhat autonomous and generally do not require any action from the Council in order to affect change, noting the examples of the Board of Education, TPZ and the Youth-Adult Council and that the committees in which Councilors serve as full members generally deal with items that require action from the Council. He suggested that the Safety Committee may fall into the category of committees with Council appointees because the Committee will need action by the Council to affect change. Councilor Bowen stated that the most important thing is that the Committee continues and expressed satisfaction with the Committee's work to date. He noted that the original Committee appointed members to serve until the Committee is dissolved, and noted that the original charge to the Committee did not include an end date; therefore making it a permanent Committee. He stated that the proposed ordinance will make it a permanent Committee by ordinance. Councilor Nagel expressed confusion as to whether the semantics allow the current Committee to be a permanent Committee. He also inquired whether the Council has the power to require that the same members be appointed to the new Committee and inquired how the increased public membership of the new Committee would have an affect on whether current members would be allowed to serve on the new Committee.

Councilor Nasinnyk stated that Council and Board and Education representatives should be full voting members of the Safety Committee. She stated that Councilors and Board members have a much firmer stock in committees in which they are able to vote as opposed to serving as liaisons. She stated that having Councilors as voting members will also add a notion of permanence to the Committee. She stated agreement with Councilor Cohen that one of the keys to the success of the current Committee is in its membership and agreed with Councilor Cohen that the Committee should be made permanent in its current state.

Councilor Banach stated that it comes down to the intent of the ordinance. He stated that if the intent is to make the Committee permanent it is a good thing, but if the other intent is to disband the first Committee he would be strongly opposed.

Councilor Bowen noted that typically two Council liaisons are appointed to committees rather than the three listed on the proposed ordinance. He also suggested that the Committee be staffed by the Chief of Police or his designee, the Town Manager and the Finance Director because if the Committee is not going to have full time Council representation then it will need people from different parts of the administration to make sure that the Committee is looking to effect change in a way that it can occur. He stated that the staff members may not need to attend every meeting but having them available will help add some teeth to the Committee as well as to help provide feedback to the Committee.

Town Manager Salomone noted that the Council members appointed to the current Committee were appointed to serve until the end of their elected term and members of the public appointed to the current Committee were appointed to serve until the dissolution of the Committee. He stated that there is no specific dissolution date of the Committee set in the original resolution. He stated that the Director of Human Services has served as the active staff support to the Committee. He noted that he suggested the second phrase under section 8-55 of the proposed ordinance which states, "If the assistance of additional Town staff is sought, the Chair of the Committee on Community Safety shall present such a request to the Town Manager" because he did not want to unnecessarily tie staff people down for every single meeting. He stated that the Police Department liaison has become an important part of the current Committee and has attended almost every meeting and that may continue if needed.

Mayor Wright stated that the proposed ordinance goes further to define the purpose of the Committee, noting that it states that, "The committee shall be established as a forum for the public to voice its safety concerns, to understand those safety concerns, and to suggest solutions to the Newington Town Council."

Councilor Cohen stated that the main difference between her proposal and the proposed ordinance before the Council is in membership in two areas:

- Council, Board of Education and Youth-Adult Council members serving as full voting members versus liaison members
- Having current members of the public continuing to serve on the permanent Committee versus appointing new members to the Committee.

Councilor Cohen stated that what makes the current Committee work is the people serving on the Committee.

Deputy Mayor Lenares moved the following:

INTRODUCTION:

I hereby introduce for the Town Council's consideration a proposed ordinance entitled "An Ordinance Establishing a Committee on Community Safety," a copy of which has been filed with the Clerk of the Council.

Introduced by: Deputy Mayor Lenares

RESOLVED:

That a public hearing be held on July 22, 2008 at 6:50 p.m. to consider Proposed Ordinance 0709-3 entitled, "An Ordinance Establishing a Committee on Community Safety."

Councilor Banach clarified that the purpose of the resolution is to set a public hearing date. Mayor Wright agreed.

Motion seconded by Councilor Nagel. Motion passed 7-2 (Councilors Cohen and Nasinnyk opposed.)

- B Amendments to Classification and Pay Plan (Job Descriptions Assessment Technician I, Assessment Technician II, Administrative Secretary III)

RESOLVED:

The Newington Town Council hereby approves of amendments to the "Classification and Pay Plan" by approving the job/position descriptions for Assessment Technician I (T-2), Assessment Technician II (T-3), and Administrative Secretary III (C-10) as recommended by the Town Manager in his capacity as Personnel Director.

Motion seconded by Councilor Bowen. Motion passed 9-0.

V CONSIDERATION OF NEW BUSINESS

- A MDC Update

Mayor Wright introduced MDC Commissioner Mark Pappa and MDC Chief of Program Management, Clean Water Project Bob Weimer to present an update to the Council on the MDC Clean Water Project, capital improvements in Town and future plans and programs.

Mr. Weimer gave an overview of the Clean Water program. He stated that the plan has been in development since 2002, and the focus has been historically on the City of Hartford's core system to address State requirements that the MDC eliminate overflow into rivers and streams due to the excessive flows during rain events. He stated that it has been determined that the problem exists in towns outside of Hartford as well, and the strategy is to develop a plan to abate the overflow that occurs in all of the towns. He stated that the plan is based on an overall approach of abating overflows over a period of time, noting federal grant funds that will be used in various towns including Newington.

Mr. Weimer gave a PowerPoint presentation of the plan:

Program Plan

- Repair and replace sewers that are in poor condition
- Manage drainage inflows
- Improve the trunk system, which is undersized in Town
- Increase system capacity in localized areas
- Upgrade the Hartford plant, which services Newington, as well as the East Hartford and Rocky Hill facilities

Key Areas of Concern in the Newington Area

- Trunk sewer, which runs the entire length of Town
- Devices constructed over the years that minimize the amount of flooding that occurs in the sewer system by discharging excess water into streams during storms. The lines from Newington and West Hartford connect to a line that has only 23,000,000 gallon per day capacity when an annual storm will bring about 80,000,000 per day. The remaining water overflows into nearby streams. Even with the overflows the flow of the water exceeds the capacity of the treatment plant.
- All connections from a home were historically constructed to discharge into a lateral that goes into the sewer, a practice that was permissible until 1961. Therefore, houses built prior to 1961 are likely to have this arrangement.

Backflow Valves – Basement Flooding

- There are several ways to flood a basement, maintaining that sewage that backflows into a home when a storm occurs is the MDC's prime responsibility.
- The MDC has installed backflow valves on some properties to address the problem, but the backflow valves are the responsibility of the property owner.
- Other ways that basements become flooded such as leaks from internal drainage pipes, leaks through foundation walls or leaks through basement floors are not the responsibility of the MDC.
- There is a backflow prevention program in place for homeowners, and any home that suffers backflows during storm events is eligible to receive a backflow valve. An inspection and an MDC contractor will be provided to install the valve, or the homeowner can hire a contractor to install the valve and be eligible for a certain amount of reimbursement from the MDC.

Proposed Second Sewer

- Due to the extent of problems in Hartford, the MDC is proposing a second sewer.
- The original combined sewers in Hartford were originally built as a device to handle both storm water and sewage. In surrounding towns, all sewers were built as separate sewers not intended to handle storm drainage.
- The MDC is looking at installing a new sewage lateral in Hartford that disconnects the sewage from the existing pipe, makes the existing pipe into a storm sewer and delivers the sewage only through the new pipe.
- The MDC needs to find ways to eliminate non-sewage sources leading into the sewage system. In many communities this means installing bigger pipes, but there are things that citizens can do.

What Can Citizens Do?

- Address the use of the water falling on their roof or going through drainage systems.
- Adapt landscaping to store and use rainwater by removing gutters and sump pumps from the sewer and using the water for "green" purposes on the property. This is not possible on all properties, but can be recommended on a case-by-case basis.
- Green designs: the MDC is developing "green" options and approaches to be implemented to eliminate the amount of storm water that gets into the sewer system from public sources as well as businesses and parking lots.

Newington's Activities to Date

- The focus in Newington is on the need to make the existing pipes do their job.
- Sewer system evaluation studies were started in 2005.
- A hydraulic model was prepared that will be used to determine the sizing of any required new pipes and will be used to evaluate future changes to the system to address overflows.

- Submitted the sewer system study to the EPA. Informed the EPA that the sewer capacity models need more monitoring in area towns including Rocky Hill, Newington, Wethersfield and West Hartford to further refine the estimate of water amounts coming from certain neighborhoods. This information will determine how to better manage the flows.
- Contacted 2,500 Town homeowners for inspection of their existing piping; 1,900 agreed to allow the inspection. Confirmed 2,300 potential inflow sources, the bulk of which are roof leaders.

Newington Construction Projects

- Sanitary sewer rehabilitation projects such as pipe lining, which involves pulling a nylon tube through the pipes, inflating the tube and curing the tube with chemicals to create a hard pipe within a pipe that lasts for over 50 years and will support the pipe. Approximately 200,000 feet of pipe lining will be complete by 2009.
- Replacing sewers that have collapsed and repairing all sewers.
- Identifying pipes that will need to be replaced.
- Replace old holed-manhole covers with manhole covers that do not contain holes as needed.

Future District Abatement Strategies

- Remove “illegal” inflow sources.
- Increase sewer capacity of treatment plants.
- Pipe repair and lining.
- Plan a tunnel to start near the Town line to carry excess water to the treatment plant. The design will require exposed shafts; therefore, the plans will have to go through a public hearing process.
- Make changes to the Hartford treatment plant to allow water that flows through the conduit to make its way to treatment.

Current and Upcoming Projects

- 2008: Newington pipe lining and repair, increase capacity of existing pipes.
- 2009: Continue pipe lining and repair.
- 2010: Begin construction of new sewers.

Sanitary Sewer Overflow Program Activities

- Completed a peer review of the models, received guidance on refining the models.
- Met with the EPA and submitted a proposal to allow the recommendations of the peer review to be implemented.
- Implementing a program in which Doppler radar images are input directly into the sewer models to accurately predict overflows.
- Continue to work with international experts to develop the final plans for cost-effective infiltration and inflow actions.

Principle Activities Funded by the Current Appropriation

- Sewer separation in Hartford
- Wethersfield Cove separation issues
- Removing the streams from sewers in Hartford
- Construction of the conveyance tunnel
- Improvements to the treatment plants

Question and answer session followed. Councilor Boni inquired whether the pipe repair involves replacing pipes. Mr. Weimer replied that pipe repairs are done as a result of a collapse or pipes that are in danger of collapsing in the near future. He stated that the pipes are videotaped and the tapes are used to determine which pipes need replacement and which need lining. He stated that the trunk line in Newington will need to be increased or supplemented. Councilor Boni inquired whether pipes that are replaced are replaced with pipes of a larger diameter. Mr. Weimer replied that it depends on the situation and the capacity of the pipes. Councilor Boni inquired whether the lining method of repairing pipes will decrease the pipes' capacity. Mr. Weimer replied that in some cases lining the pipes actually increases the capacity because the joints of the old pipes installed in the early 1900's often act as an impediment to the flow of water and the linings create a smooth surface that can increase the flow of the pipes.

Councilor Banach inquired whether overflow during storms could pose a public health threat. Mr. Weimer replied that there are high bacterial counts and other undesirable components in the overflow water and people should stay away from the overflow water. He stated ways to convey the overflow to a nearby stream have been constructed in the past, but these are not presently legal solutions. He stated that the MDC is working to eliminate sources of flow over time and trying to minimize instances of overflow. Councilor Banach inquired how people would know how long to avoid the streams in the event that overflow is diverted into streams. Mr. Weimer replied that the MDC's advice is that residents in the affected overflow areas should not enter surface waters for several days after a storm. Councilor Banach stated that he does not feel that people are well informed about the contamination of overflow and inquired about who should address the issue and inform the public. Mr. Weimer replied that the MDC is willing to do so, and continues to do so through its website, a monthly television show and its newsletter. He stated that the MDC has met with the Health District on a number of occasions and continues to meet on a semi-annual basis. He commented that the MDC should provide additional information to the public in order for the public to be aware of the issues when they are in the environment during a storm. Mr. Pappa recommended that the Health District in conjunction with the MDC put a map together identifying areas most susceptible to overflow. Councilor Bowen inquired whether such information could be posted. Mr. Weimer replied that information is posted on the Clean Water project website. Councilor Bowen inquired whether warning signs can be physically posted in affected areas. Mr. Weimer stated that this is a good suggestion.

Mayor Wright thanked the gentlemen for their presentation, and thanked the MDC for its cooperation in installing the gate at the MDC property on Eighth Street.

B Environmental Condition Report – 690 Cedar Street/National Welding Site

Mayor Wright invited Town Planner Ed Meehan and representatives from Fuss & O'Neill to speak about the environmental condition report of the 690 Cedar Street/National Welding site. Mayor Wright pointed out areas involved in the project on a map displayed at the meeting, including the areas of the proposed busway, as well as the proposed hotel, bank, Starbucks and retail location.

Mr. Meehan introduced Jeanne Webb of Webb Realty who is helping the Town with the RFP, Dave Hurley, Vice President of Fuss & O'Neill and Dan Jainy, Project Manager. He gave a background of the project and an update of its various components:

- This project goes back a couple of years to the awarding of a \$200,000 EPA grant for community-wide assessment of areas that may qualify for possible abatement projects.
- The National Welding (National Acme) and 21 Boulevard sites were the main focus of the assessments.
- Fuss & O'Neill will discuss the environmental studies as well as the recently completed Phase III studies.
- Jeanne Webb will discuss the preliminary RFP draft.
- Strategy options for the Town moving forward in relation to the foreclosure issue.
- Discussion of an opportunity for the Town to apply for Brownfield Municipal Pilot grant funds which carries a submission date of July 16, 2008.
- The key of project is the concept of working with the State DOT and the private sector developer for traffic control on Fenn Road. Town Manager Salomone pointed out the areas for discussion on the map, and noted that it is a complicated area due to the various agencies: the busway agency, the State DOT and access to the various properties, and with the area being rehabilitated and constructed there are many decisions points to be made.
- This is an opportunity to address the scarcity of land in Town and an opportunity to bring the property back on the tax rolls through redevelopment, and the opportunities that the site brings to the Town outweigh the challenges.

Jeanne Webb gave an overview of the RFP draft:

- Typically, municipal development projects that require State, Federal or local funding tend to take longer than a private development. Typically, it takes about 7-10 years to break down, and this project is currently in its fourth year.
- One of the decision points is if there is to be significant development on the site the Town may want to sell the tax liens or work with the developer in order to gain funding to clean up the site. If there is no significant development the Town may want to foreclose on the property, apply for cleanup funds and then sell the site. In this case, the value of the contamination is greater than the value of the land, although how much more is not known at this time.

- Based on this fact, a draft RFP is being prepared, and Ms. Webb's recommendation to the Town is to put out the RFP for a five-six month time frame. During the RFP timeframe continue to work with the DOT to solve the access problems.
- There are currently four acres of land, eight acres with the transit site. It is strongly recommended that the Town takes the time to look outside the ranges of a normal municipal RFP and get the site out to the public. This is an excellent site to gain funding for cleanup, which will provide viability for a developer.

Mr. Meehan stated that the Town Attorney is moving forward to secure an appraisal for the property and will report the results of the appraisal to the Council. He stated that the appraisal is necessary to move forward with any foreclosure actions.

Dave Hurley of Fuss & O'Neill stated that the project has been a phased approach. He stated that Fuss & O'Neill has been working closely with the EPA with the work in the environmental investigations. Project Manager Dan Jainy presented an overview of the investigation to date:

- The National Welding Company operated from 1941-1994 on the 3.9 acre parcel.
- The building is about 100,000 sq. feet and occupies most of the 3.9 acre area.
- The work done on site was primarily custom machining, metal fabrication, welding, heat treating, painting, metal cleaning components and spray paintings.
- Chemicals used on the site were typical for that type of operation and included paints, cleaning solvents, petroleum products and oils for the machinery. There were also about 20,000 of fuel oil stored in various underground tanks on the property.
- The EPA grant funded Phase I, Phase II and Phase III environmental studies and also included a pre-demolition building survey, which determines asbestos or lead-containing building materials as well as mercury and PCB-containing building components.
- The Phase I study was completed in 2004, and contained a summary of existing work done to date, a review of operations at the facility and an identification of where the operations occurred. Twenty-three areas of concern were identified based on that study. A work plan was submitted to the EPA for approval to perform a Phase II and Phase III investigation of the property.
- The Phase II investigation involved collecting samples from each area of concern and determining whether a release of pollutants occurred in that area.
- The Phase III investigation defines the degree and extent of those polluted areas.
- Field work was performed at the site over three mobilizations in December 2006, October 2007 and May 2008
- 206 soil samples were submitted for analysis and 21 monitoring wells were installed to collect groundwater samples.

Results of the Investigation

- Site fill, likely brought in as the facility expanded throughout the years, contained pollutants such as petroleum and metals.
- Two areas contain petroleum-contaminated soil resulting from leaks from machinery used inside the building. The contaminated areas are about 1,000 and 3,500 square feet and extend about eight feet below the building slab.
- A third area of petroleum contamination about 3,500 square feet in size extends about twelve feet below the building slab and also involves oil floating on the groundwater table. The oil is about three-quarters of an inch thick and the contamination also resulted from leaking machinery.
- Other than the petroleum area, there were fairly low concentrations of volatile organic compounds found in the site groundwater.
- There is a lot of asbestos in the building: the roof and wall panels as well as the caulking of the windows contain asbestos. Lead was not widely identified in significant quantities. Some PCB-containing light ballasts and mercury-containing bulbs were found and those materials would have to be abated prior to the site being demolished.

Future Site Development

- The site is a typical Brownfield site.
- The issues can be addressed and the site can be put back into productive use.
- There are ways to meet State cleanup goals and put the site back into use, such as by using the development as part of the remedial solution. This includes covering certain areas of the polluted soil rather than removing them. The contaminated groundwater must be removed.

- Nothing was revealed during the study that will prevent redevelopment of the site.

Mayor Wright inquired whether the biggest issue is the asbestos removal which is contained above the surface. Mr. Hurley replied that there is contamination scattered around the site, so the cumulative effect will add up to being a significant cost, but not an astronomical cost. He stated that the asbestos is a big item, as well as the groundwater contamination and the various areas of lower level contamination. Mr. Hurley stated that the cost will fluctuate depending on the land use and type of development. Town Manager Salomone commented that placing a parking lot or construction slab over the contaminated area would be a different construction scenario than placing, for example, a day care center or playground area on the site.

Ms. Webb stated that the RFP has been structured so that anyone responding to the RFP will provide a master plan involving the cleanup and how it will integrate into the development, which is why she recommends allowing for more than the normal period of time for an RFP. She stated that it is open-ended as far as its use in order to provide for a variety of respondents that will give positive ideas and solutions. Mr. Hurley stated that the Town will be looking for respondents that have experience with dealing with contaminated sites in a sophisticated way. Councilor Bottalico stated that a commercial use would probably be more practical than a residential use due to cleanup requirements. Ms. Webb replied that it depends on the plan, for example, a parking garage could potentially be placed over a contaminated area to mitigate quite a bit of the effect.

Councilor Bowen inquired whether it would make sense to hold off on the foreclosure of the property until the RFP responses have been received. He also inquired whether the Town will be responsible for the cleanup of the property once it takes possession of the property. Mr. Hurley replied that it is not necessarily the Town's responsibility to clean the property; the responsibility can be transferred to a developer. Councilor Bowen inquired what would happen if the Town foreclosed on the property and then no one was interested in developing the property. He inquired whether the Town would then be required to clean the property. Ms. Webb stated that the Town would not necessarily be responsible for cleaning the site in such an event as long as the Town can assure that any contamination on the site remains undisturbed. Councilor Bowen noted recent State opinion that there is too much traffic coming off of Route 9 in the area and noted State plans to change the exit ramp to make it more accessible to Cedar Street. He commented that the State DOT representative was shocked to learn that the average daily traffic count on Cedar Street was about 33,000 at the time (now closer to 38,000). He noted that it has been established that a new hotel, retail area and bank are going to be built in the area, which will bring in additional traffic. He also noted the proposed busway which is intended to alleviate traffic on Route 9, and will bring more people to the area. Councilor Bowen inquired whether the RFP process includes thought about the traffic impact of any development to the site. Mr. Meehan replied that the traffic impact is a part of the traffic management master plan. He stated that Fuss & O'Neill did a scenario of a build out of the site, based on the land use components recommended in a CRCOG transit development plan. He stated that the type of land use with the hotel/bank project is not a high traffic generator. He stated that if the National Welding site is developed into an office-type use it will impact peak hour traffic, something that will need to be considered. Councilor Bowen stated that there are already major traffic concerns in the area and noted that the 10-year Plan of Conservation and Development is at least two years overdue, and requested whether it is possible to request the TPZ to specifically look at this area of Town and the impact of the development on the local streets. He noted that the State does not do that type of study work. Mr. Meehan replied that some of the work was done as part of the accessibility study. Councilor Bowen stated that he has not seen that study. Mr. Meehan stated that the study was done about two years ago. Councilor Bowen implored the Town to think hard before developing the area, noting intolerable levels of congestion in the center of Town during peak hours. He stated concern that the more the area is developed the more it will contribute to additional input to the traffic flow.

Ms. Webb stated that CRCOG is modeling another busway in the region, and stated that trips can be reduced by up to 15% based on the proper design, use and density of the development. She stated that the model has been proven in towns that are more transit dependant. Mr. Meehan stated that the key is density. Councilor Bowen stated that while proper design may mitigate the number of trips by 15% any development will still bring in additional trips into an already dense area. Mayor Wright stated that while traffic is a concern the site is unique in the sense that the nearest residential street is about a half-mile away and the opportunities that the site presents overall are very exciting. He stated that the private and public sectors need to work together to make the project work, and the Town should embrace this opportunity. He stated that if the Town moves through the process at a reasonable pace there is a fair chance that the site will be clean one year from now. He stated that it is time to take a position of leadership and move the process forward.

Town Manager Salomone stated that the Town will apply for Brownfield grant funds, which have a closing date for application of July 16, 2008. He stated that Council approval is not needed for application, but if approved by the State will come back to the Council for acceptance of the funds. These funds would be used to look at demolition and remediation costs. Deputy Mayor Lenares inquired whether there is an estimate available on the remediation costs. Mr. Meehan replied that there is not an estimate available on the remediation costs at the present time, but there is an estimate of \$1.3 million to get the building cleaned and removed. He stated that this is the next step, stated that the Town is coming to the end of its grant money, and noted that there has been discussion about partnering with CRCOG's Brownfield program to obtain some additional funding, which would help to build a stronger RFP.

Councilor Bowen remarked that when he moved to Newington from Long Island 30 years ago he did not move due to visions of hotels and six-story office buildings. He also commented on Long Island's traffic problems due to development. He noted that Newington is starting to move in a similar direction, away from a residential community and towards business growth. He expressed concern that the Town is not thinking about how this development is going to impact the Town five to ten years down the road. Councilor Bowen stated that he has no interest in having the gateway to Newington look like an industrial park. He also inquired about the four traffic lights that will be in a span of about a quarter of a mile in the area and inquired whether this plan changes the DOT's plan for putting a light at Old Farms. (Comments not audible on the tape) Mr. Meehan replied that the discussion was regarding placing lights 200' apart at Alumni Road and Maple Hill, in which an option was a split signal. He stated that the plans for the development area (comments not audible on the tape) call for spacing the lights 500-600' apart, a pretty good spacing on a heavy traffic area.

Mayor Wright noted that it had been stressed that a key area of importance is that the Town works with developers with experience in this area, and requested an explanation of the advantages of moving in that direction. Mr. Hurley stated that there are pros and cons. He stated that to get Brownfield sites successfully redeveloped usually requires public/private partnerships. He stated that the Town's assets include the ability to attract money at the State and Federal level. He stated that the Town and the developer will work as a team to accomplish a productive and profitable venture while at the same time cleaning up the environment. He stated that these types of projects take more time and require adherence to additional regulatory programs, therefore it is important to work with a developer who is familiar with that process and who does not have the expectation that this will happen overnight. Mayor Wright inquired about how this project rates in comparison to other projects throughout the State. Ms. Webb replied that there is a really good chance that the Town will be able to access State and potentially Federal funds for the project, depending upon how far along the DOT is in implementing the busway. Mayor Wright thanked the speakers for the information and remarked that now is a fantastic time to move forward with the RFP.

B OPM Grant – Municipal Plan of Conservation and Development

Town Manager Salomone stated that the Town had received notice of a grant award of \$20,000 from the State OPM on June 24. He stated that the Council will need to pass a resolution authorizing him to move forward, and the deadline for doing so is July 16, 2008. He requested the Council to waive the rules to act on the item. Mr. Meehan commented that he did not expect OPM to approve this, as there are many communities in the State that are behind on their 10 year schedule of conservation and development and remarked that the Town is very fortunate to receive the assistance. He stated that the funds will help to move the process along and noted that the process has changed through State Statute to become a longer and wider process with more Council input. He requested that the Council approves the resolution.

Councilor Bottalico moved to waive the rules to vote on the resolution. Motion seconded by Councilor Boni. Motion to waive the rules passed 9-0.

Deputy Mayor Lenares moved the following:

RESOLVED:

That the Newington Town Council hereby authorizes the application for the Municipal Plan of Conservation and Development Grant referenced in Section 13(a)(1) and Section 32(a)(1) of Public Act 07-7 (An Act Authorizing and Adjusting Bonds of the State for Capital Improvements and for Transportation Infrastructure Improvements and Concerning the Connecticut State University Infrastructure Act);

BE IT FURTHER RESOLVED:

That the Newington Town Council hereby identifies John L. Salomone, Town Manager, as an individual authorized to sign the grant application and administer the grant. Such application is attached to and made a part of this record.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

D Cemetery Fees and Charges

Town Manager Salomone stated that no Council action is required on the item at the present meeting, and in fact the Council is not required to take any action on the item at all if it concurs with the changes and the rate increase would then go into effect 60 days after filing of the rate increase request with the Town Clerk, which would occur tomorrow (July 9, 2008). He noted that a fee-increase chart has been distributed to the Councilors. Town Manager Salomone noted that there was a mix-up in which some people were charged the increased fees prior to the implementation because the Supervisor of Parks and Grounds was not informed that the rate increase would not take effect without Council concurrence. He stated that refunds will be made to those who were inadvertently charged the higher fee. Town Manager Salomone stated that the Council has 60 days to take action if it is not in agreement with the fee increase. He stated that with no objections the new fees will be implemented on September 7.

E Consideration of Canceling August 12 Meeting

Mayor Wright stated that this item will appear on the next meeting's agenda for approval. Councilor Cohen stated that a meeting can be called in the event that any pressing business comes before the Council between now and then.

F West Meadow Cemetery (added to the agenda)

Councilor Cohen stated that the West Meadow Cemetery Building Committee met and the architects will be coming forward with a final design. She stated that there is money set aside for the project in the Cemetery's budget, however the project was estimated several years ago and the funds set aside will not be adequate based on current costs. She stated that the Committee will inform the Council of the final dollar amount when it becomes available. She stated that the Cemetery has the funds in its budget, but funds will need to be transferred from the other unused portions of the Cemetery budget and allocated to the line items involving the project. She stated that the item will need to be added to the next Council agenda as old business to be considered for approval. Councilor Nasinnyk stated that the reason the item was added to the Council's current meeting agenda in order for it to appear under old business at the next meeting for a vote rather than waiting a month for the following meeting.

VI RESIGNATIONS/APPOINTMENTS

A Downtown Revitalization Committee

Councilor Bowen moved the following:

RESOLVED:

That the Newington Town Council hereby makes the following appointment:

Downtown Revitalization Committee:

Member	Address	Party	Term
Development Comm. Rep.: Marie Dowling	129 Fisk Drive Newington	D	Dev. Comm. term

Motion seconded by Councilor Banach. Motion passed 9-0.

VII WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

A Town Manager Reports - none

VIII COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Nagel reported on the following committees – all of which took place on June 25, 2008:

- NCTV
 - Discussed AT&T interconnection proposals. Two feeds to be granted by AT&T, one to the Town Hall and one to their location.
 - Discussed the microphones used in the Helen Nelson room for meetings including the Council meetings, investigation about who is responsible for repairing the microphones and how well they work.
 - Announced an advisory report public hearing regarding Cox Communications on September 6 at the Glastonbury Community center involving the ongoing connection between Cox and local communities.
- Capital Workforce
 - Discussed financial reports and a report containing the Workforce's ten top achievements.
 - Elected a governed board of people from various communities.
- CRCOG
 - Discussion of solid waste management programs, it was generally recommended that area towns form a unified force in terms of negotiation with solid waste handling organizations.

Councilor Bottalico reported that the Employee Insurance and Pension Benefit Committee met and received good news that there is a positive margin of \$837,667 of which the Town will receive \$194,211 and the Board of Education will receive \$643,456. He stated that the reason for the allocation is that the Board of Education has a 70/30 ratio of employees to the Town. Councilor Bowen noted that the final figures won't be available until September. Councilor Bottalico stated that he was told that the figure was in effect as of July 1. Mayor Wright stated that the item will be on an upcoming meeting agenda.

Mayor Wright reported on the Downtown Revitalization Committee's meeting in which the Committee members took a tour of the downtown area. He stated that the next meeting is scheduled for Wednesday, July 16, at 7:00pm in the Helen Nelson Room of the Town Hall. He invited members of the public to attend. Town Manager Salomone stated that direct mailings were sent to interested property and business owners inviting them to attend.

IX PUBLIC PARTICIPATION - none

X REMARKS BY COUNCILORS

Councilor Nasinnyk inquired as to whether the Facilities Naming Subcommittee had met regarding a recent request. Councilor Cohen replied that the Subcommittee has not yet met.

Councilor Bowen noted that the Town has already requested that the MDC get involved in posting signs and requested that the Town Manager follow up on the item and report back to the Council.

Councilor Cohen inquired as to whether the Town has received any news regarding the large AT&T switchboxes in Town. Town Manager Salomone replied that he has located a copy of the regulations and the topic will be discussed at an upcoming Mid-Connecticut regional meeting.

Mayor Wright thanked Town Manager Salomone and Chief Mulhall for meeting with Jennifer Walker, a representative of the group of residents from the Fisk Drive/Dowd Street area who are concerned with speeding in the area. He stated that received an email from the Chief that the Police has completed a traffic study on Fisk Drive, held July 1 – July 6, 2008. Mayor Wright outlined the findings of the study:

- Nearly 5,000 cars passed through the area during the 5.3 days of the test period, an average of 936 per day.
- The average speed of these drivers was 22.04 mph
- The 50th percentile speed was 22.50 mph

- The 85th percentile speed was 30.00 mph
- The maximum speed during that time period was 48.00 mph

Mayor Wright stated that the Chief and Town Manager are working together with residents to gather information and create good solutions moving forward. Town Manager Salomone stated that the Town has two removable road humps which are flatter than speed bumps. He noted that the study was done after school had ended for the summer and stated that the study should be repeated once school is back in session since traffic will likely increase once school is in session.

Councilor Bottalico inquired whether the speeds shown in the study constitute speed bumps. Town Manager Salomone again stated that the study should be repeated during the school year to see whether there is a difference in speeds. Councilor Bottalico requested that the same study be performed on Culver Street. Councilor Nasinnyk noted that the speed recorder was located on a curve and that people have a tendency to slow down around the curve. Mayor Wright stated that the public was not aware of the study, and the equipment was separate from the previously used speed trailer that was placed on a curve. He stated that the device is hidden from view and is not visible from the road. Mayor Wright noted that the highest speeds were recorded in the overnight hours. Town Manager Salomone stated that the box has the ability to record speeds a certain distance away. He stated that the speed humps are not a permanent solution. Councilor Bowen remarked that even if 850 cars per day are not speeding there are still 150 cars that are speeding every day in the area. He remarked that this is a large number of cars speeding exceeding the speed limit in the area on a daily basis. Councilor Bottalico noted that the times that the high speeds are recorded should be a consideration. Mayor Wright stated that it is a starting point to address the situation.

XI EXECUTIVE SESSION RE: PERSONNEL

Councilor Nagel moved to go into Executive Session Re: Personnel at 9:46pm. Motion seconded by Councilor Bowen. Motion passed 9-0. All Councilors, Town Manager Salomone and Labor Attorney Ken Plumb were present at the Executive Session. Town Manager Salomone and Attorney Plumb exited the Executive Session at 10:15pm.

Councilor Nasinnyk moved to go out of Executive Session at 10:30pm. Motion seconded by Councilor Nagel. Motion passed 9-0.

XII ADJOURNMENT

Councilor Boni moved to adjourn the meeting at 10:31pm. Motion seconded by Councilor Cohen. Motion passed 9-0.

Respectfully Submitted,

Mrs. Jaime Trevethan
Clerk of the Council